

Arkansas Department of Education, Special Education
Summary of Proposed Revised Rules
Mediation and Hearings

For the Proposed Revised Rules for Mediation and Hearings, §10.01.38, and Appendix A, Required Form #4 of Special Education and Related Services: Procedural Requirements and Program Standards, the revisions to §10.01.38, Mediation and Hearings, and Appendix A, Required Forms #4 are necessary to make the language consistent with that contained in Arkansas Code Annotated §6-41-216(g), which was amended during the 84th General Assembly, Regular Session, 2003, to extend the period of time for filing a grievance under the Individual with Disabilities Education Act (IDEA). The statute was amended, and subsequently, these rules, at the direction of the U.S. Department of Education, Office of Special Education Programs, to make them consistent with the findings and decision of the U.S. Court of Appeals, Eighth Circuit, in the matter of Birmingham v. Omaha School District. Making these changes was necessary as a condition for receipt of federal Title VI-B special education funds.